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OFFICE OF PETITIONS

In re Application of :
Bernard Handrik Reesink et al :
Application No. 10/573,051 : **DECISION ON PETITION**
Filed: March 22, 2006 :
Attorney Docket No. 4872 :

This is a decision on the petition, filed May 8, 2009, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.


This application was held abandoned for failure to reply to the non-final Office action mailed February 4, 2008, which set a three (3) month shortened statutory period for reply. A Notice of Abandonment was mailed on March 17, 2009.

Petitioner asserts that the Office action dated February 4, 2008 was not received.

A review of the written record indicates an irregularity in the mailing of the Office action of February 4, 2008. In this regard, a Notice of Correspondence Address/Fee Address change was set to Customer Number 48227 on September 10, 2008 which is after the mailing of the non-final Office action of February 4, 2008. Accordingly, as the non-final Office action was mailed to an incorrect address, the Notice of Abandonment mailed March 17, 2009 is hereby vacated and the holding of abandonment withdrawn.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at 571-272-3210.

This application is being referred to the Technology Center technical support staff of Art Unit 1797 for remailing the Office action of February 4, 2008 and resetting the period for reply.


Irvin Dingle
Petition Examiner
Office of Petitions